

**RESOLUTION NO. R-2010-1502**

**A RESOLUTION APPROVING THE EXECUTION OF A DEED OF  
CONSERVATION EASEMENT FOR PINE VALLEY PROPERTY GRANTED  
FROM DeMAR LC TO THE VIRGIN RIVER LAND PRESERVATION  
ASSOCIATION AND WASHINGTON COUNTY**

WHEREAS, Demar LC, a Utah Limited Liability Company (“Grantor”) is the sole owner in fee simple of certain real property in Washington County, Utah, encompassing 11.07 acres, more or less (the “Property”); and

WHEREAS, the Property is located in the meadows of Pine Valley and is substantially undeveloped except for agricultural and ranching uses; and

WHEREAS, the Property possesses scenic open space, aesthetic, agricultural, ranching, ecological, wildlife habitat and environmental values of great importance to the Grantor and the Virgin River Land Preservation Association (“VRLPA”) and Washington County (“County”), the people of Washington County, and the people of the State of Utah, which are worthy of protection in perpetuity; and

WHEREAS, the Grantor, the VRLPA, and the County recognize that economic development of the Property would have an adverse impact on and greatly impair the conservation values of the Property; and

WHEREAS, the Grantor desires and intends that the conservation values of the Property be preserved and maintained by the continuation of the undeveloped condition of the Property; and

WHEREAS, the Grantor intends, as owner of the Property, to convey to the VRLPA, as primary grantee, and to the County, as back-up grantee, a Deed of Conservation Easement on the Property, which contains restrictions on the use and development of the Property, and which are intended to protect its open space, agricultural, and conservation values; and

WHEREAS, it is in the best interest of the County that the Deed of Conservation Easement be granted to the VRLPA, as primary grantee, and the County, as back-up grantee.

NOW, THEREFORE, at a regular meeting of the legislative body of Washington County, Utah, duly called, noticed, and held on the 16<sup>th</sup> day of November 2010, upon motion duly made and seconded, it is unanimously:

RESOLVED that the Washington County Commission approves the execution of the Deed of Conservation Easement, a copy of which is attached hereto as Exhibit “A”. A copy of the Deed of Conservation Easement is on file in the Office of the Washington County Commission.

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VOTED UPON AND PASSED BY THE WASHINGTON COUNTY  
COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY  
COMMISSION HELD ON THE 16<sup>TH</sup> DAY OF NOVEMBER 2010.

WASHINGTON COUNTY

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JAMES J. EARDLEY  
Washington County Commission

ATTEST:

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Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Eardley voted \_\_\_\_  
Commissioner Gardner voted \_\_\_\_  
Commissioner Drake voted \_\_\_\_